

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
IN AND FOR THE STATE OF UTAH

J.
M/049/009
FILED

AUG 22 2005

**SECRETARY, BOARD OF
OIL, GAS & MINING**

ooOoo

IN THE MATTER OF THE PETITION :
BY THE DIVISION OF OIL, GAS AND :
MINING FOR AN ORDER DIRECTING :
THE ATTORNEY GENERAL TO RECOVER :
CIVIL PENALTIES, WITHDRAWING :
THE NOTICES OF INTENTION, AND :
REQUIRING IMMEDIATE RECLAMATION :
OR FORFEITING SURETIES FOR APEX/ :
BURGIN MINE (M/049/009), TRIXIE :
SHAFT MINE AREA (M/049/024), AND :
THE TRIXIE WEST EXPLORATION AREA :
(E/049/046); THE CHIEF CONSOLIDATED :
MINING CO. d/b/a CHIEF GOLD MINE, :
SOUTH STANDARD MINING COMPANY, :
and TINTIC UTAH METALS, LLC.; IN :
SECTIONS 11, 15, 21, 22, and 28, T10S, :
R2W, SLB&M; UTAH COUNTY, UTAH :

ORDER FOR
CONTINUANCE OF HEARING

DOCKET NO. 2005-013

Cause Nos. M/049/009
M/049/024
E/049/046

ooOoo

Based upon the Stipulation for Continuance and for Dismissal of Notice of Agency
Action (Stipulation) between the Division of Oil, Gas and Mining (Division) and Chief
Consolidated Mining Company (Chief) that has been fully executed and filed in this matter, and
pursuant to the provisions of Utah Administrative Code R641-105-700, and for good cause
appearing;

The Board of Oil, Gas and Mining, by and through its Chair, HEREBY ORDERS as
follows:

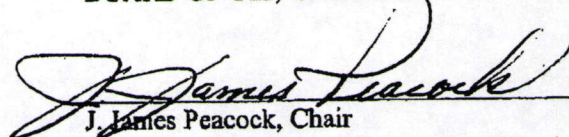
1. The hearing on the Division's Notice of Agency Action which was originally
scheduled for the Board hearing on August 24, 2005, is hereby continued until

the regularly scheduled hearing of the Board on December 7, 2005, 10:00 a.m.,
or as soon thereafter as the matter may be heard.

2. This Order of Continuance is subject to Chief's compliance with the terms and conditions of the Stipulation as follows:
 - a. Upon satisfaction of the further conditions set forth in the Stipulation but no later than November 15, 2005, and after receipt of notice of compliance from the Division, the hearing on this matter shall be continued without date, and the action shall be held in abeyance subject to the continuing jurisdiction of the Board to review the additional actions of the parties required by the Stipulation for final resolution of this matter.
 - b. In the event of failure of Chief to comply with any of the terms of the Stipulation at any time prior to November 15, 2005, the Division may notify the Board of the alleged failure to comply, and the matter shall be set for hearing at the earliest regularly scheduled board hearing, subject to the requirements for notice under the rules of the Board, but in any event no later than the December 7, 2005 Board Hearing.
3. The Board shall retain continuing jurisdiction of the parties and this matter as may be necessary to enforce the terms of the Stipulation.

DATED this 22 day of August, 2005.

STATE OF UTAH
BOARD OF OIL, GAS & MINING


J. James Peacock, Chair

CERTIFICATE OF MAILING

I hereby certify that I caused a true and correct copy of the attached "Order for Continuance of Hearing" to be delivered or mailed by first class mail, postage prepaid, this 22 day of August, 2005 addressed to:

Zions Bank
Payson Branch
80 East 100 North
Payson, UT 84651

Wells Fargo Center
Attn: Eric Page
299 South Main Street (Main Floor)
Salt Lake City, UT 84111

Carol Rushin
Assistant Regional Administrator, Region 8
Office of Enforcement, Compliance, and Environmental Justice
U.S. Environmental Protection Agency
999 18th Street, Suite 300
Denver, CO 80202-2466

Michael Johnson, Counsel for the Board (via hand delivery)
Assistant Utah Attorney General
1594 West North Temple #300
Salt Lake City, UT 84116

Steven F. Alder, Counsel for the Division (via hand delivery)
Assistant Utah Attorney General
1594 West North Temple #300
Salt Lake City, UT 84116

Richard R. Schreiber, President and CEO
Chief Consolidated Mining Company
1629 Locust Street
Philadelphia, PA 19103

